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Report of the Secretary-General on the situation concerning Western Sahara

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1754 (2007) of 30 April 2007, by which the Council extended the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 31 October 2007. In that resolution, the Council requested the Secretary-General to provide a report on the situation in Western Sahara before the end of the mandate period. The present report covers developments since the issuance of my report dated 13 April 2007 (S/2007/202).

II. Recent developments in Western Sahara

2. On 30 July 2007, in a speech to mark the eighth anniversary of his enthronement, King Mohammed VI of Morocco stated that Morocco was ready to negotiate on the basis of a consensual autonomy solution conceived within the framework of the Kingdom's sovereignty.

3. On 7 September 2007, parliamentary elections were held in Morocco, which included voting in the Moroccan-controlled Territory of Western Sahara. Representatives of the Frente Polisario para la Liberación de Saguía el-Hamra y de Río de Oro (Frente Polisario) wrote to me on 19 August 2007 and again on 9 September 2007 to condemn the decision of the Government of Morocco to hold such elections in Western Sahara, calling instead for a free and fair vote on self-determination for the Western Saharan people.

III. Activities of my Personal Envoy

A. Status and progress of the Negotiations

4. This section of the report covers the status and progress of the negotiations on Western Sahara since the issuance of my report dated 29 June 2007 (S/2007/385*). In its resolution 1754 (2007), the Security Council called upon the parties to enter into negotiations without preconditions in good faith, taking into account the developments of the last months, with a view to achieving a just, lasting and

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mutually acceptable political solution, which would provide for the self-determination of the people of Western Sahara. Furthermore, in that resolution the Security Council requested me to set up those negotiations under my auspices.

5. To implement Security Council resolution 1754 (2007) a first meeting of the negotiation process was held at the Greentree Estate in Manhasset, New York, on 18 and 19 June 2007, as described in my report dated 29 June 2007 (S/2007/385*). In that first round of talks, the parties agreed to a communiqué from my Personal Envoy stating that during the meeting, negotiations had started as requested by the Security Council in its resolution 1754 (2007) and that the parties had agreed that the process of negotiations would continue in Manhasset in the second week of August 2007.

6. As planned, the parties participated in a second meeting at the Greentree Estate on 10 and 11 August 2007. Algeria and Mauritania also attended, as neighbouring countries. During the opening session, the parties made their respective statements, in which they reiterated their commitment to collaborating with the United Nations in the implementation of Security Council resolution 1754 (2007). Although they both confirmed their respect for the principle of self-determination and accepted Security Council resolution 1754 (2007) as the mandate for the negotiations, their positions remained far apart on the definition of self-determination.

7. Following the opening session, an exchange of views took place with regard to the implementation of Security Council resolution 1754 (2007). The parties then heard presentations by United Nations experts and participated in discussions on subjects related to natural resources and local administration. They also held separate meetings with my Personal Envoy. Finally, at the initiative of my Personal Envoy, the parties were invited to consider a possible expansion of the existing confidence-building measures. In reply to this initiative, the delegation of the Frente Polisario indicated that it was satisfied with the confidence-building measures currently being implemented and remained open to the formulation of additional measures, subject to internal consultations. The delegation of Morocco thanked my Personal Envoy for his initiative on a subject that was indeed important for the population of the region. However, it added that the subject of confidence-building measures was discussed within the framework of the Office of the United Nations High Commissioner for Refugees (UNHCR), which constituted and should remain the appropriate forum for assessing and proposing such measures, and that for the consideration of possible proposals for confidence-building measures that would be beyond the scope of that forum, another appropriate forum should be found.

8. During the meeting, the parties agreed to the communiqué of my Personal Envoy, contained in annex I to the present report, in which they acknowledged that the current status quo was unacceptable and that they were committed to continuing the negotiations in good faith.

9. Since then, unfortunately, it has not yet been possible to find a mutually acceptable date for the resumption of the negotiations. As the parties' commitment to continue the negotiations in good faith is not in doubt, my Personal Envoy intends to avail himself of the intervening time to explore ways to encourage the parties to enter into more substantial negotiations than have taken place in the first two rounds.

B. Assessment of my Personal Envoy

10. In his communiqué (annex I), my Personal Envoy declared that there had been substantive talks in which the parties interacted with one another and expressed their views. In retrospect, this may seem a somewhat rosy summary of the second round, for although the meeting was again characterized by a good atmosphere and courteous behaviour, it also manifested the same rigid positions. Owing to the latter, regrettably, the first two meetings, taken together, have not resulted in the implementation of paragraph 2 of Security Council resolution 1754 (2007), for it cannot really be maintained that the parties have entered into negotiations. This was not due to a lack of good faith on their part, but primarily ensued from predictable problems with the interpretation of the Council's call on them to enter into negotiations without preconditions. As early as last year, in the Secretary-General's report of 16 October 2006 (S/2006/817, paras. 18-19), the Council's attention had been drawn to the fine distinction between preconditions and fundamental positions: neither the view of Morocco that its sovereignty over Western Sahara should be recognized, nor that of the Frente Polisario that the final status of the Territory should be decided in a referendum with independence as an option, could be accepted as preconditions, but both were widely known to be the respective parties' fundamental positions. In the run-up to the negotiations in June, these positions were not treated as preconditions: both parties were ready to sit down at the negotiating table without having their fundamental positions endorsed beforehand. Thus, formally, everything was in order, but as these fundamental positions were mutually exclusive, they prevented each party from seriously discussing the other party's proposal. As a result, the parties did, indeed, express their views and even interacted with one another, but they mainly did so by rejecting the views of the other party, and there was hardly any exchange that could in earnest be characterized as negotiations.

11. Although the fact that two meetings have taken place is a cause for satisfaction, my Personal Envoy is concerned at the deficient implementation of a unanimously adopted Security Council resolution that at the time of its adoption was hailed as a breakthrough in dealing with the question of Western Sahara. In the above-mentioned communiqué issued after the second meeting, the parties acknowledged that the current status quo was unacceptable, but while up to now that qualification always referred to the dilemma of either negotiations or status quo, we now risk entering a protracted stage of negotiations *and* status quo.

12. Before broaching the question of what could be done to remedy this, my Personal Envoy would like to make the following brief comments on the elements of the second meeting that were not directly related to the proposals of the two parties. In order to forestall an endless repetition of the parties' expostulations on their own proposals and at the same time contribute to the development of an atmosphere of trust, the two presumably non-controversial subjects referred to in paragraph 7 above (natural resources and local administration), were added to the agenda of the second meeting. This was successful to a certain extent: the discussions went well and both parties actively participated in them; but it was generally realized that these technical issues could not take the place of the substantial negotiations aimed at a mutually acceptable political solution that resolution 1754 (2007) had called for.

13. Another presumably non-controversial item added to the agenda was that of confidence-building measures, referred to in paragraph 7 above. As this was only briefly deliberated in Manhasset, my Personal Envoy intends to raise the matter again during the next round so as to obtain greater clarity as to the positions of the parties. His own view, which I support, is that confidence-building measures are, by definition, intended to generate trust between parties in a conflict and cannot, therefore, be considered as going beyond the competence of a negotiation process that was set up at the request of the Security Council and was supposed to be conducted in good faith and to achieve a just, lasting and mutually acceptable political solution.

14. It will be clear, however, that the negotiation process pursuant to resolution 1754 (2007) cannot be completely filled with discussions that do not touch on the proposals of the parties. It is also clear that the parties will not start negotiating without some further guidance from the Security Council. The Council could clarify that attendance at each round of the negotiation process is not equivalent to entering into negotiations. Paragraph 2 of resolution 1754 (2007) contains elements that cannot be separated. A political solution that does justice to all those elements will inevitably be of great complexity and will need to be negotiated with perseverance.

15. To that end, my Personal Envoy has reminded the parties of the principle that "nothing is agreed until everything is agreed". He is convinced that acceptance of this principle by the parties could be the key to the beginning of genuine negotiations, as it would encourage them to discuss proposals with elements that are unacceptable to them.

16. To begin with, the Frente Polisario might discuss the Moroccan proposal (S/2007/206) on the basis of its avowed willingness to accept autonomy as an option as long as independence is an option as well. The latter addition cannot, of course, be a precondition on which parties must agree before entering into such a discussion, but Morocco presumably has no interest in turning down the discussion simply because it is aware of the Frente Polisario's ultimate position. Conversely, Morocco must also be prepared to discuss the proposal of the Frente Polisario (S/2007/210). This seems more difficult because there is no symmetry between the proposals. A genuine discussion would offer the Frente Polisario an opportunity to explain how, by means of its concept of "post-referendum guarantees", arrangements on vital matters such as natural resources and security could be stipulated beforehand, thus avoiding the period of incertitude and unpredictability that normally accompanies the emergence of a newly independent State.

17. Even if Morocco may not be interested in the Frente Polisario's explanation, which presupposes openness to an independent Western Sahara, it will still have to participate in such a discussion if it wants to comply with resolution 1754 (2007). As to the practical meaning of that resolution for the treatment of the two proposals, my Personal Envoy has taken the line that both proposals are on the table. It is true that the resolution is more elaborate about the Moroccan proposal than about that of the Frente Polisario, but what matters in the end is that the Security Council has taken note of both proposals in the same resolution in which it has called upon parties to enter into negotiations. Consequently, both proposals are on the agenda and must be discussed.

IV. Activities on the ground

A. Military

18. As at 30 September 2007, the military component of MINURSO stood at 217 personnel, including administrative personnel and medical unit officers, against the authorized strength of 230. During the period under review, in an effort to increase the number of Arabic-speaking military observers, two military observers from Djibouti were deployed to the Mission on 17 April 2007. Despite continuing efforts to increase the number of female military observers from one officer, from Mongolia, at the time of my last report, only one additional woman officer, from Croatia, has been deployed to MINURSO during the reporting period. I would welcome a larger deployment of female officers by troop-contributing countries to MINURSO, both for operational reasons and in order to improve the Mission's gender balance.

19. The overall situation in the area of responsibility remained generally calm. Under the command of Major General Kurt Mosgaard (Denmark) and subsequently Major General Zhao Jingmin (China), the military component of MINURSO continued to monitor the ceasefire, which has been in effect since 6 September 1991, in accordance with military agreement No. 1 between the Royal Moroccan Army and MINURSO, on the one hand, and the Frente Polisario military forces and MINURSO, on the other. The military agreements divide Western Sahara into five areas, including a five-kilometre-wide buffer strip east of the berm, two restricted areas (25 kilometres east and 30 kilometres west of the berm, respectively) and two areas of limited restriction that encompass the remainder of Western Sahara. Differing restrictions on military activities and personnel apply in these areas.

20. During the period from 1 April to 30 September 2007, MINURSO performed 4,502 ground patrols and 296 air patrols to visit and inspect units of the Royal Moroccan Army and the military forces of the Frente Polisario and to monitor adherence to the military agreements.

21. MINURSO continued to enjoy good relations with both the Royal Moroccan Army and the Frente Polisario armed forces. However, both sides continued to abstain from direct meetings and all known contact between the two parties was conducted via meetings and written communications, with MINURSO as an intermediary. The MINURSO proposal to establish a joint military verification commission (see S/2006/249, para. 11), designed to build confidence between the parties, has, in principle, been welcomed by the Frente Polisario, but the Royal Moroccan Army has not yet responded.

22. Violations of military agreement No. 1 by both parties remain at approximately the same level as in the previous reporting period. From 1 April to 30 September 2007, MINURSO observed and recorded 11 new violations by the Royal Moroccan Army and 12 new violations by the military forces of the Frente Polisario. Violations by the Royal Moroccan Army included the presence of a military helicopter in the restricted area on 29 May and 21 June 2007 without prior notification of MINURSO, the establishment of permanently occupied observation posts outside the perimeter of strong points in April, May and June 2007, and the presence of military elements inside the buffer strip. Violations by the Frente Polisario included a concentration of forces in the area of limited restriction in

Mijek from 19 to 21 May 2007 during military parades to celebrate the beginning of the armed struggle against Spain in 1973, the presence of military elements inside the buffer strip and the presence since January 2007 of an observation post inside the buffer strip in the area of responsibility of team site Bir Lahlou. Following repeated interventions by MINURSO, the observation post was dismantled on 10 June 2007.

23. In May and June 2007, MINURSO received requests from the Royal Moroccan Army for agreement to construct new ammunition stores in its area of responsibility, to replace structures that had deteriorated beyond repair. MINURSO granted permission for the construction to proceed on condition that the old structures were demolished. MINURSO will monitor the removal of the old structures.

24. MINURSO continued to observe long-standing violations by both parties. These included the presence of radar equipment and improvements to defence infrastructure by the Royal Moroccan Army, and the continued deployment of military personnel by the Frente Polisario in the area known as the "Spanish Fort". However, no further changes to the infrastructure of the Spanish Fort have taken place since my previous report to the Security Council (see S/2007/202, para. 18).

25. During the reporting period, the Royal Moroccan Army significantly increased the number of allegations of violations of military agreement No. 1 by the Frente Polisario that it submitted to MINURSO. Since 26 May 2007, the Royal Moroccan Army has registered 32 allegations of the presence of people and vehicles inside the buffer strip. Almost all such allegations were made hours, if not days, after the alleged sightings. Consequently, MINURSO military observers had no means of verifying whether the allegations were well-founded. However, in most cases, civilians were believed to be the subject of such complaints. As military agreement No. 1 does not prohibit the presence of civilians in the buffer strip, the majority of these allegations were believed to be groundless. In three instances, MINURSO was able to confirm the presence of Frente Polisario military elements in the buffer strip and these were recorded as violations of military agreement No. 1. In response to each of four allegations during June, the MINURSO team site commander wrote to the Royal Moroccan Army subsector commander, clarifying that the provisions of the military agreements do not apply to civilians. Since then, the instances of such allegations have decreased.

26. During the reporting period, two allegations against the Royal Moroccan Army were submitted to MINURSO by the Frente Polisario. Both allegations pertained to the presence of military aircraft flying over the area of Agwanit on 20 and 26 May 2007. Owing to insufficient information and the lack of technical aerial surveillance equipment, MINURSO could neither confirm nor refute these allegations.

27. As explained in previous reports to the Council (S/2006/817, para. 26 and S/2007/202, para. 19), since the start of the Mission's mandate, both parties have imposed restrictions on the freedom of movement of MINURSO military observers. The restrictions primarily relate to the denial of entry into the parties' strong points and units to verify unit strength, weapons systems and maintenance of the status quo. On 1 June 2006, MINURSO began recording restrictions on freedom of movement of military observers as violations of military agreement No. 1. Despite agreement by the Frente Polisario to lift all restrictions, only one military region (military region 2 in Tifariti) has granted MINURSO military observers full freedom of movement. In addition, two other military regions (military region 3 in Mijek and

military region 4 in Mehaires) have, to a large extent, honoured their obligations in this regard, with only two freedom of movement violations being committed in Mijek and one such violation in Mehaires during the reporting period. The Frente Polisario has yet to grant full freedom of movement in the remaining three military regions. With regard to the Royal Moroccan Army, MINURSO continues to enjoy full freedom of movement in the Awsard subsector, as was indicated in my previous report (S/2007/202, para. 19), but restrictions remain in place in all other subsectors. During the period from 1 April to 30 September 2007, 424 freedom of movement violations were recorded on the part of the Royal Moroccan Army and 158 on the part of the Frente Polisario. The greater numbers of Royal Moroccan Army strong points and units explain, to some extent, the higher number of violations on its part. The Royal Moroccan Army continues to refer to ambiguous wording of military agreement No. 1 as the explanation for its continued violations of the principle of unrestricted freedom of movement. However, further improvements are necessary from both sides to enable MINURSO to carry out its monitoring functions more effectively.

28. With regard to military agreements Nos. 2 and 3, both parties continued to extend cooperation to MINURSO in the marking and disposal of mines, unexploded ordnance and expired ammunition. During the period under review, MINURSO discovered and marked 270 mines, pieces of unexploded ordnance and dangerous areas. MINURSO monitored the destruction by both parties of a total of 15,494 such devices, including abandoned, obsolete and stockpiled munitions.

29. As explained in my previous report (S/2007/202, para. 21), the abundant presence of mines and unexploded ordnance throughout Western Sahara, including areas where MINURSO military observers and logistical vehicles operate on a daily basis, is a cause for serious concern. Since 1991, MINURSO military observers have been the victims of three mine accidents and the introduction of night operations has increased the risk of further accidents. This raises force protection issues that need to be addressed by MINURSO through the implementation of mine action and unexploded ordnance disposal activities, which are essential to provide an adequate level of safety to United Nations personnel working in Western Sahara. To improve the safety and security of United Nations military observers in the field, MINURSO plans to equip new patrol vehicles with adequate protective equipment, including mine detectors, mine shoes and safety foot markings. This equipment will also facilitate a more rapid response to mine accidents during patrols and provide safe passage through minefields to evacuate injured personnel. Provision for these requirements, in the amount of $279,400, will be requested in the 2008/09 MINURSO budget.

30. The safety of the local population is also at continued risk. The number of casualties is likely to increase in the event that refugees begin to return. In an effort to respond to this threat, and as previously reported to the Council (S/2007/202, para. 22), on 15 January 2007, the Royal Moroccan Army began a comprehensive mine clearance operation in Western Sahara, focusing on the areas that are most at risk. With the onset of high temperatures, the operation was suspended for three months in July 2007 and will resume in October. Since the beginning of this major operation, the Royal Moroccan Army has reportedly found and destroyed more than 700 pieces of unexploded ordnance and mines.

31. For its part, MINURSO continues to emphasize the need to reduce the risk of mines and unexploded ordnance. Through its Mine Action Cell, which was established in January 2006, MINURSO is engaged in mine action coordination through several complementary avenues of cooperation. With support from the United Nations Mine Action Service (UNMAS), the Mission has organized activities to reduce the presence of mines and unexploded ordnance and to raise awareness of the issue with the parties and among the wider population in the Territory and in the Tindouf refugee camps. MINURSO is also in contact with the United Nations Development Programme (UNDP) in Mauritania to exchange information and facilitate mine clearance activities in the boundary area between the Territory and Mauritania and to initiate regional mine awareness programmes.

32. In order to have the capacity to cooperate more fully with mine-clearing non-governmental organizations in the Territory, the staff of the MINURSO Mine Action Centre and Geographical Information Systems (GIS) cell have been trained in the use of the Information Management System for Mine Action (IMSMA) database system introduced by the Geneva International Centre for Humanitarian Demining. To date, the MINURSO Mine Action Centre has been staffed with two military officers. The work is highly specialized and requires both knowledge and field experience. If MINURSO capacities in this regard are to be preserved, the services of a senior mine action adviser will be required to supplement the work of individual United Nations military observers, whose tours of duty last only 6 to 12 months. Provision for such services in the amount of $120,000 will be requested in the 2008-2009 MINURSO budget. Such services will enable MINURSO to retain the institutional memory and technical expertise that is vital to this work.

33. As previously reported to the Council, (S/2007/202, para. 25) Landmine Action, a non-governmental organization based in the United Kingdom, embarked in August 2006 on a comprehensive mine and unexploded ordnance survey, as well as clearance of areas east of the berm, with cooperative support from UNMAS and MINURSO. This work continues and, as of 30 September 2007, Landmine Action had surveyed 49 designated dangerous areas and marked 267 spots indicating the presence of mines and unexploded ordnance, recovered 114 pieces of unexploded ordnance and mines from the field and carried out 177 demolition tasks. In addition, Landmine Action surveyed 55 areas previously marked by the Frente Polisario and found no evidence of mines or unexploded ordnance.

34. Landmine Action activities have been substantially funded by UNMAS since August 2006, with the shortfall being met by the Princess of Wales Memorial Fund and the Governments of Germany and Norway. It will be proposed in the 2008-2009 budget that MINURSO funds be made available to ensure the verification of MINURSO patrol and logistical supply routes and the mine and unexploded ordnance clearance of areas where MINURSO needs to establish facilities. In addition, the United Nations Mine Action Service will shortly provide a new grant to Landmine Action with funding from Austria, Italy, Japan, the Holy See and the Netherlands, which will allow Landmine Action to continue working on this important project until mid-2008. I wish to thank donors for their support. In order to secure the continuation of the comprehensive mine action programme east of the berm until the end of 2008, additional donor funding will be required. I call upon donors to contribute generously to the mine clearance activities of Landmine Action, which are essential to providing a safe environment for the local population and for United Nations military and civilian personnel in Western Sahara.

35. MINURSO undertook several activities during the reporting period to ensure the safety of United Nations personnel and to improve its military capabilities, including the marking of tracks, the improvement of casualty evacuation procedures and the production of more accurate maps. As previously reported to the Council, MINURSO established a GIS cell in June 2006 (see S/2006/817, para. 29), with technical and training support and advice from the Cartographic Section of the Department of Peacekeeping Operations and the United Nations Mission in Liberia, to address the risks attendant on using outdated large-scale aerial maps (see S/2007/202, para. 27). The GIS cell is now staffed by two military observers and one United Nations Volunteer GIS specialist. During the reporting period, the cell produced the second set of updated operational and thematic maps of critical areas for the Mission headquarters and, in greater detail, for each team site's area of responsibility. The Mission continues to enhance these maps utilizing satellite imagery and data from Global Positioning System equipment in MINURSO vehicles, as well as other available data. The cell is also responsible for the field training of all MINURSO personnel on all aspects of GIS, including Global Positioning Systems and appropriate software. The GIS cell has enhanced the capability of the Mission and supports military and civilian personnel in decision-making during operations by providing the most accurate geographical information available. GIS has effectively reduced the probability of mine accidents for team site patrols and for civilian logistical vehicles travelling in the MINURSO area of responsibility. It has also shortened the data-updating cycle for the Mission's geographical information and facilitated the production of more accurate maps for operations.

36. In order to improve force protection and the safety of military observers during night activities and during casualty evacuation operations, the Mission plans to equip patrols in the field with additional portable satellite telephones. This allocation will complement the radio network and significantly increase the efficiency of communications in cases of emergency.

B. Prisoners of war, other detainees and persons unaccounted for

37. The International Committee of the Red Cross continues to work with the concerned parties and families of the persons still unaccounted for in relation to the conflict.

C. Assistance to Western Saharan refugees

38. The humanitarian activities of the international community, led by UNHCR and the World Food Programme (WFP), on behalf of Western Saharan refugees continue to be conducted in a challenging environment. The food pipeline remains fragile and delays in shipping have caused disruption to food aid delivery. Cereals, which constitute 70 per cent of the current food basket, were not distributed in the month of July. In the coming six months, shortfalls of cereals, pulses and high-energy biscuits are expected. The absence of secure food stocks since October 2006 continues to be a major concern.

39. The supplementary feeding programme resumed in July 2007 in follow-up to the recommendations of the 2007 joint nutrition assessment mission (S/2007/202,

para. 31). Supplementary rations were distributed to pregnant and lactating women, and to malnourished children under five years of age to address chronic malnutrition and anaemia among those particularly vulnerable groups. In addition, an amount of $300,000 was allocated by UNHCR for the provision of fresh vegetables, meat and fruit, as a measure aimed at diversifying the diet of the refugees during the month of Ramadan.

40. In pursuance of its objective of ensuring the provision of safer water, UNHCR is working towards the withdrawal of water tankers from the camps and their replacement by water-pipe networks. A project to establish such a network is scheduled to be completed in Awsard camp by the end of 2007.

41. The education sector continues to benefit from UNHCR support. A significant quantity of school books was provided in time for the current academic year. However, all the needs in this sector are still not being met. A series of training activities has been conducted on various matters, including gender, HIV awareness and human rights. In addition, a project for the creation of a legal library with Internet connection has been finalized, but the necessary funding is yet to be secured.

42. In March 2007, the United Nations presence was strengthened by the establishment of a World Health Organization (WHO) office in Tindouf in order to strengthen the efforts to prevent major diseases in the camps.

D. Confidence-building measures

43. I am pleased to report that the UNHCR-led confidence-building measures programme continues to be successfully implemented in close coordination with MINURSO and in cooperation with the parties concerned. UNHCR is currently exploring with the parties the possibility of expanding the programme in order to allow more beneficiaries to take advantage of these humanitarian activities.

44. From the start of the programme in November 2004 to 14 September 2007, 4,423 Western Saharans benefited from the exchange of family visits, 55 per cent of them women, and 35 per cent children under the age of 18; 2,116 persons travelled to the refugee camps near Tindouf and 2,307 travelled to cities in the Territory. With the aim of expanding and increasing the number of beneficiaries and the length of the visits, UNHCR is currently assessing with the parties the possibility of organizing visits using land transportation. It is expected that implementation of such operations would have a significant impact both by increasing the numbers of individuals able to travel and also by possibly reducing the transportation costs involved in the visits. Further, UNHCR is planning a new round of registration of beneficiaries to allow more eligible persons to register for these visits.

45. The free-of-charge telephone service between the refugee camps in Tindouf and the Territory is operating successfully. Since the service began in January 2004 until the end of September 2007, over 83,675 telephone calls were made, 58 per cent of which were placed by women. As previously reported to the Council (see S/2006/202, para. 34), budgetary constraints and the logistical difficulties attendant on its remote location had prevented the establishment of a telephone centre in Dakhla camp, some 180 kilometres from Tindouf. I am pleased to report that UNHCR, with support from MINURSO, is completing the installation of a

telephone centre in Dakhla camp. It is due to become operational by the end of 2007.

46. In August 2007, UNHCR reached an agreement with the parties to organize the first seminar under the programme of confidence-building measures, which is to take place in November 2007, in Madeira, Portugal. The subject of the seminar is "Hassania culture, traditional heritage and practice", and has been agreed upon by the parties in conjunction with UNHCR. By agreement with the parties, UNHCR and MINURSO will select 17 Western Saharans from the refugee camps and 17 from the Territory to participate in the seminar.

47. As explained in my previous report (see S/2007/202, para. 35), MINURSO continues to play an important role in supporting the imp'ementation of the programme of confidence-building measures. Pursuant to a memorandum of understanding signed between UNHCR and MINURSO, MINURSO provides aircraft, personnel and ground transportation for the programme. United Nations police officers facilitate airport procedures at arrival and departure points and accompany UNHCR staff on their visits to beneficiaries. In addition, a doctor or a nurse from the Malaysian medical unit of MINURSO accompanies each flight. MINURSO also continues to provide critical logistical, security and administrative support to UNHCR in the implementation of the programme.

48. The confidence-building measures programme depends entirely on funding from donors. Despite the positive momentum experienced in recent months and the parties' agreement to plans for its expansion, without more funds the continuation of the programme, even at its current level of activity, is at risk. On 15 October, with support from my Special Representative, UNHCR launched an appeal for funding for the confidence-building measures programme. Without an immediate response from donors, UNHCR may be forced to discontinue the exchange of family visits programme at the end of October 2007. I am of the view that, particularly at this critical juncture in negotiations between the parties, confidence-building measures provide a vital avenue for dialogue, in addition to providing a lifeline for contact between the separated families of Western Sahara. I strongly urge the donor community to support this important humanitarian programme, so that it may continue and expand during 2007 and 2008. Furthermore, I urge the parties to continue to cooperate with UNHCR and to facilitate its activities on behalf of Western Saharans.

E. Irregular migrants

49. By 8 February 2007, only seven migrants remained in Bir Lahlou, including four migrants from Ghana and one each from Burkina Faso, Côte d'Ivoire and Gambia. During the first week of April 2007, one of the remaining migrants returned to Gambia with the support of his brother, who had travelled to Bir Lahlou, facilitated by the Gambian and Mauritanian authorities. Only six migrants now remain in Bir Lahlou. Following their recent request for assistance to return home, MINURSO has made contact with the International Organization for Migration (IOM). Assisted by MINURSO, IOM has facilitated the return of migrants from Western Sahara as reported previously (S/2006/817, para. 43 and S/2007/202, para. 37) and steps are being taken to coordinate efforts so that these remaining migrants can return safely to their countries of origin.

50. Throughout the reporting period, Moroccan media sources reported that the Moroccan authorities continued to intercept irregular migrants found in the Territory. On 31 July 2007, the same sources reported that two migrants had been killed and two others seriously injured while attempting to break through a security surveillance system in Laayoune. I call upon all concerned to cooperate in upholding their humanitarian obligations towards migrants, wherever they may be located.

F. Human rights

51. Throughout May 2007, Western Saharan students from the Territory attending universities in Morocco reportedly engaged in demonstrations for the right to self-determination and independence for Western Sahara. Western Saharan students at the University of Agadir held a demonstration on 7 May 2007 and the Moroccan authorities reportedly used force to break up the demonstration. This event sparked demonstrations and sit-ins by Western Saharan students at universities in Casablanca, Marrakesh and Rabat, in protest at the response of the authorities in Agadir and calling for the right to self-determination. Reports indicate that the response by Moroccan authorities resulted in a number of students being injured, some seriously, and arrests followed. Moroccan media sources confirmed the student unrest, characterizing it as violent clashes between students that led to police intervention to stop violence between rival gangs of students. Mohamed Abdelaziz, Secretary General of the Frente Polisario, wrote to me four times in May, once in June, twice in July, once in August and twice in September 2007 to protest the arrests and "repression" of Western Saharans, including students attending Moroccan universities, and to draw my attention to hunger strikes allegedly undertaken by Western Saharan students in detention in Moroccan prisons.

52. During the period prior to the talks between the parties, international media sources reported the alleged harassment and arrest of Western Saharan human rights activists by Moroccan authorities in the Territory. Throughout the period under review, Western Saharan human rights activists reportedly received heavy prison sentences.

53. As previously reported to the Council (see S/2006/249, para. 3), clashes between Western Saharan demonstrators and Moroccan police in October 2005 resulted in the death of Hamdi Lembarki, a 24-year-old Western Saharan, in Laayoune on 30 October 2005. Following an investigation by Moroccan authorities, two police officers were sentenced in June 2007 to 10 years in prison in connection with this crime, on charges of inflicting injuries with a weapon and unintentionally causing death while acting in the capacity of public employees.

G. Administration of the Mission

54. Security work on all the team sites east of the berm, and in team site Smara west of the berm, has been completed. This brings six of the nine MINURSO team sites into compliance with minimum operating security standards, walls, boom-gates and security lighting having been installed. In addition, protective bastions will be placed around the walls. Work is progressing on the remaining three team sites west of the berm. Observation towers and underground shelters have been installed at one

team site (Awsard) and work is ongoing at three others. Work at the remaining team sites will be completed within the next budget year. In Laayoune, there has been improvement recently in communication and cooperation between the local authorities and MINURSO on the work required to bring the Mission headquarters and logistics base into compliance with minimum operating security standards. This work is expected to be resumed in the near future. In Tindouf work is progressing on the installation of a boom-gate and of security lighting.

55. In addition to work on security measures, facility and infrastructure improvements are also under way and there are plans to replace the soft-walled accommodation structures at team sites with three modular hard-wall structures in five team sites. In order to ensure that the quality of water, which is supplied in bulk to the team sites, is of an acceptable hygiene standard, the Mission has requested purification plants, which will be installed at five team sites and at the Mission headquarters.

56. The Mission has adopted a plan for the rehabilitation of airstrips and work has begun. One airstrip (Oum Dreyga) was brought back into operation in August. Work on another two airstrips (Mahbas and Awsard) continues. MINURSO invited bids from outside contractors for this work, but the bids received were significantly in excess of cost estimates from internal studies using standard market prices. Accordingly, local material and contracted equipment are being used, and the work is being carried out by MINURSO personnel, with a consequent saving of some 70 per cent of the nearest price quoted by an outside contractor. Provided that other machinery can be obtained locally or from the United Nations Logistics Base in Brindisi, Italy, the rehabilitation of the remaining four desert airfields should be completed by mid-2008, with similar cost savings. The plan is designed to accommodate the operational needs of the Mission, so that staff movements, the delivery of fresh food and casualty and medical evacuation support are not affected. Non-perishables will be supplied temporarily by means of ground transportation while work continues on the airstrips.

57. As part of the 2007-2008 budget, one international post was downgraded from the P-4 to the P-3 level to reflect changing responsibilities more accurately. In addition, one international post was converted to the local staff category. This brings to a close the implementation of the recommendations of a civilian management review conducted in 2005 (see S/2005/648 and S/2006/817). The cost saving that resulted from this restructuring has allowed for the introduction of the posts of Conduct and Discipline Officer, Budget Officer, Training Officer and Geographic Information Systems Officer, while the number of authorized international staff has still been reduced by 30 in the 2006-2007 budget.

H. Prevention of sexual exploitation and abuse

58. In its resolution 1754 (2007), the Council requested that the necessary measures continue to be put in place to ensure that MINURSO achieves compliance with the United Nations zero-tolerance policy on sexual exploitation and abuse. In the past six months, one alleged case of sexual exploitation and abuse was reported and appropriate measures were taken within the regulations to deal with the matter. A compulsory comprehensive training programme on the standards of conduct expected of all Mission personnel has begun and a welfare programme has been

developed to compensate to the extent possible for the difficult living conditions associated with the particular environment in which MINURSO operates.

V. African Union

59. The observer delegation of the African Union to MINURSO, led by its Senior Representative, Yilma Tadesse (Ethiopia), continued, during the reporting period, to provide support and cooperation to the Mission. I wish to reiterate my appreciation to the African Union for its contribution.

VI. Financial aspects

60. The General Assembly, by its resolution 61/290 of 29 June 2007, appropriated the amount of $44.3 million for the maintenance of MINURSO for the period from 1 July 2007 to 30 June 2008. Therefore, should the Security Council approve my recommendation set out in paragraph 68 below with respect to the extension of the mandate of MINURSO, the cost for the maintenance of the Mission during the extension period will be limited to resources approved by the General Assembly.

61. As at 30 June 2007, unpaid assessed contributions to the Special Account for MINURSO amounted to $47.3 million. As a result of the outstanding assessed contributions, the Organization has not been in a position to reimburse the Governments providing troops for the troop costs incurred since April 2002. The total outstanding assessed contributions for all peacekeeping operations as at 30 June 2007 amounted to $1,417.6 million.

VII. Observations and recommendations

62. I share the view of my Personal Envoy that the launch of the process of negotiations with the two first meetings, held in June and August 2007 respectively, is a cause for satisfaction. However, I recommend that the Security Council reiterate its call upon the parties, Morocco and the Frente Polisario, to enter into genuine negotiations, thus ensuring a more substantial implementation of its resolution 1754 (2007).

63. In contrast to my recent reports to the Council, I note that during this reporting period there has not been a decrease in the number of violations of military agreement No. 1, which defines the ceasefire regime. Moreover, I remain concerned that restrictions have continued on the freedom of movement of United Nations military observers who seek to visit units, headquarters and strong points for verification purposes. It is the responsibility of the parties to ensure that violations are not committed by their military/security forces, and I would encourage the parties to adhere more fully to the provisions of the military agreements and to extend their full cooperation to MINURSO in order fully to maintain the ceasefire and to ensure that basic peacekeeping principles are upheld.

64. I welcome the continued efforts of the parties to clear the Territory of mines and unexploded ordnance, and their related cooperation with MINURSO. I also welcome the increased support of MINURSO in the area of mine-risk education and its intention to provide victim assistance as required. As previously noted

(S/2007/202, para. 50), these activities could prove valuable and relatively inexpensive multipliers in the security and effectiveness of the Mission and have a direct positive effect on the safety of United Nations personnel. Such activities also raise awareness and understanding of the role and presence of MINURSO among the local population. These ongoing and operational activities are part of the core mandate of MINURSO, and cannot be funded totally through voluntary contributions. Therefore, MINURSO intends to make provisions, in the amount of $430,000, for mine-action activities in its 2008/09 budget for this vital work.

65. As previously noted (S/2007/202, para. 49), I would encourage the parties to work with MINURSO to establish direct cooperation and communication through a joint military verification commission and other forums to facilitate their work on mine clearance and other issues of common interest.

66. The human dimension of the conflict, including the plight of the Western Saharan refugees, is a continuing concern. In this context, I am pleased that the exchanges of family visits between the Territory and the refugee camps in the Tindouf area have continued without interruption during the reporting period. I am encouraged that the parties have also agreed in principle to the expansion of the programme, and that seminars and a new round of registration will take place in the months ahead. I urge the international community to show its support to the expansion of the confidence-building measures programme. I am also concerned that this valuable humanitarian confidence-building measure is at risk and may have to be suspended if additional financial support is not forthcoming in the immediate future and I urge the donor community to contribute to it generously.

67. I would like to repeat my call (S/2006/817, para. 60 and S/2007/202, para. 52) to the parties to remain engaged in continuous and constructive dialogue with the Office of the United Nations High Commissioner for Human Rights with a view to ensuring respect for the human rights of the people of Western Sahara. I would like to reiterate that, although MINURSO does not have the mandate or resources to address this issue, the United Nations remains committed to upholding international human rights standards.

68. In the existing circumstances on the ground, and in the light of my Personal Envoy's continuing efforts, I believe that the presence of MINURSO remains indispensable for the maintenance of the ceasefire in Western Sahara. Therefore, I recommend that the Security Council extend the mandate of MINURSO for a further period of six months, until 30 April 2008.

69. In conclusion, I wish to express my appreciation to my Personal Envoy, Peter van Walsum, for his continuing efforts in search of a solution to the question of Western Sahara. On 10 September 2007, Major General Kurt Mosgaard (Denmark) handed over his responsibilities as Force Commander to Major General Jingmin Zhao (China). I wish to thank Major General Mosgaard for his hard work and dedication during his tenure as Force Commander and to wish Major General Zhao every success in his new assignment. I also wish to thank my Special Representative, Julian Harston, and the men and women serving in MINURSO for the manner in which they have discharged, under difficult conditions, the responsibilities entrusted to them by the Security Council.

Annex I

[Original: English and French]

Communiqué of the Personal Envoy of the Secretary-General for Western Sahara (in agreement with the parties)

Meeting at Manhasset (Greentree Estate)

11 August 2007

Representatives of Morocco and the Frente Polisario met in Manhasset, New York, at the Greentree Estate, on 10 and 11 August 2007, continuing their discussions under the auspices of the Secretary-General and in accordance with Security Council resolution 1754 (2007) of 30 April 2007. Representatives of the neighbouring countries, Algeria and Mauritania, were also present at the opening and closing sessions and were consulted separately during the talks.

I am pleased that we were able to hold substantive talks in which the parties interacted with one another and expressed their views. A debate took place with regard to the implementation of Security Council resolution 1754 (2007). Also, at my initiative, the parties heard presentations by United Nations experts on specific issues, such as natural resources and local administration. Confidence-building measures were also proposed for discussion.

The parties acknowledge that the current status quo is unacceptable and they have committed to continue these negotiations in good faith. They have agreed that the process of negotiations will continue and that appropriate consultations will be completed regarding the date and venue of the coming round.

Annex II

United Nations Mission for the Referendum in Western Sahara

Contributions as at 15 September 2007

Country	*Military Observers*[a]	*Troops*[a]	*Civilian Police*[b]	*Total*
Argentina	1	0	0	1
Austria	2	0	0	2
Bangladesh	8	0	0	8
China	12	0	0	12
Croatia	7	0	0	7
Denmark	1	0	0	1
Djibouti	2	0	0	2
Egypt	23	0	3	26
El Salvador	6	0	3	9
France	15	0	0	15
Ghana	16	0	0	16
Greece	1	0	0	1
Guinea	5	0	0	5
Honduras	12	0	0	12
Hungary	7	0	0	7
Ireland	3	0	0	3
Italy	5	0	0	5
Kenya	5	0	0	5
Malaysia	12	20	0	32
Mongolia	3	0	0	3
Nigeria	7	0	0	7
Pakistan	7	0	0	7
Poland	1	0	0	1
Russian Federation	24	0	0	24
Sri Lanka	2	0	0	2
Uruguay	8	0	0	8
Yemen	6	0	0	6
Total	**201**	**20**	**6**	**227**

[a] Authorized strength is 231, including the Force Commander.

[b] Authorized strength is 6.

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